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MEMO ENDORSED

The application is denied. While the defendant no longer faces a 25-year maximum sentence, he faces -- given defense counsel's representation (see Dkt. No. 490 at 2) -- a near certain sentence of five years' imprisonment. That certainty -- together with the defendant's past criminal record and his ties to Ukraine -- raises concerns about flight. Accordingly, the application is denied.

November 14, 2024

BY ECF

Hon. Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.
Dated: Nov. 15, 2024

Re: **United States v. Arthur Bogoraz, 22 Cr. 19 (PGG)**

Dear Judge Gardephe:

I respectfully write to briefly supplement Mr. Bogoraz's October 31, 2024 letter-request for a modification to the conditions of his release (pending the date that he surrenders to the custody of the BOP) with more specific information supporting his request.

A large part of the concern that is animating Mr. Bogoraz's request is the desire to assist his parents in attending to certain of their affairs before he begins a sentence of incarceration, during which he will be unable to help them. Mr. Bogoraz's parents are 78 and 76 years old, and live in New Jersey. They are planning to sell their home in order to downsize, and it is important to Mr. Bogoraz both to be able to help them organize and prepare their house for sale and to help them find a new home, before he begins a custodial sentence. In addition, Mr. Bogoraz's parents are planning to sell the home that they have in Florida, and it is important to Mr. Bogoraz to be able to assist them with that process as well. Mr. Bogoraz's parents have not previously sold these homes because they were both part of the security for his bail in this case. Mr. Bogoraz is not aware of any other family members who are able to help his parents with these tasks.



In short, increased freedom of movement between now and the time that Mr. Bogoraz ultimately surrenders to BOP custody will allow him to help set his parents up for the period of time that he will be absent and unable to assist them.

I thank the Court for its consideration of Mr. Bogoraz's request.

Respectfully submitted,

/s/ Max Nicholas

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